

**SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST 976.10
"THE 2001 HAZARDOUS WASTE REPORT"**

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TABLE OF CONTENTS

1.	IDENTIFICATION OF THE INFORMATION COLLECTION	1
1(a)	Title and Number of the Information Collection	1
1(b)	Characterization of the Information Collection	1
2.	NEED FOR AND USE OF THE COLLECTION	1
2(a)	Need and Authority for the Collection	1
2(b)	Use and Users of the Data	3
3.	NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA	6
3(a)	Nonduplication	6
3(b)	Public Notice	6
3(c)	Consultations	6
3(d)	Effects of Less Frequent Collection	6
3(e)	General Guidelines	6
3(f)	Confidentiality	6
3(g)	Sensitive Questions	7
4.	THE RESPONDENTS AND THE INFORMATION REQUESTED	7
4(a)	Respondents and Standard Industrial Classification (SIC) Codes	7
4(b)	Information Requested	8
5.	THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT	9
5(a)	Agency Activities	9
5(b)	Collection Methodology and Management	11
5(c)	Small Entity Flexibility	12
5(d)	Collection Schedule	12
6.	ESTIMATING THE BURDEN AND COST OF THE COLLECTION	13
6(a)	Estimating Respondent Burden	13
6(b)	Estimating Respondent Costs	16
6(c)	Estimating Agency Burden and Cost	19
6(d)	Estimating the Respondent Universe and Total Burden and Cost	19
6(e)	Bottom Line Burden and Cost Tables	21
6(f)	Reasons For Change In Burden	22
6(g)	Burden Statement	22

APPENDIX A: 2001 Hazardous Waste Report Forms and Instructions

APPENDIX B: *Federal Register* Notice on 2001 Hazardous Waste Report Renewal

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection

This information collection request (ICR) is entitled "The 2001 Hazardous Waste Report," EPA ICR Number 976.10.

1(b) Characterization of the Information Collection

This ICR is a renewal of an on-going information collection request to support the reporting by hazardous waste generators and treatment, storage, or disposal facilities (TSDFs) required by the Resource Conservation and Recovery Act of 1976 (RCRA). RCRA Sections 3002 and 3004, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), requires reporting to EPA or to authorized States at least every two years. The 2001 Hazardous Waste Report (also called the Biennial Report), or comparable State report, is the report used by generators and TSDFs to satisfy this requirement.

Hazardous waste generators and TSDFs must report information on the quantities, type, and management method of generated hazardous wastes and hazardous wastes received from off site. The data collected are used by EPA's Office of Solid Waste (OSW) to prepare a national report that is made available to Congress and the public, summarizing hazardous waste generation and management activities. The data also are used by EPA and the States for programmatic and regulatory needs.

Data are collected from respondents on Form 8700-13 A/B, or comparable State forms, either on paper or in electronic media and entered into an electronic database by State and Regional environmental authorities. States coordinate with EPA Regions and OSW Headquarters to supply EPA with the data reported by regulated entities for inclusion in a national database. These Biennial Report data are maintained within the national RCRAInfo database residing on centrally managed EPA servers at the Agency's National Computing Center. Once an initial version of the national database is compiled, EPA coordinates a national data quality review process with States and EPA Regions to identify cases where the State or Region may wish to confirm that data were correctly entered, and/or contact a regulated entity to confirm what they reported, and provide them with the opportunity to submit an updated report if the original contained errors. Following submittal of final data from States and EPA Regions, no further changes are made to the database and it reflects the final versions of reports as submitted by regulated entities for a given report cycle.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

This subsection establishes the need and legal authority for each information collection covered in this ICR.

Need for the Information Collection

RCRA requires EPA to establish standards applicable to generators and TSDFs to protect human health and the environment. Specifically included are provisions requiring the submission of reports, at least, once every two years.

There are a number of Federal and State uses of Hazardous Waste Report information. EPA uses Hazardous Waste Report information for planning and developing regulations. Regulation development and compliance tracking depend on descriptions and quantities of generated hazardous waste and management methods used by TSDFs. Also, Hazardous Waste Report information allows the Agency to ascertain whether its regulations are having the desired effect on the generation and management of hazardous waste. For example, Hazardous Waste Reports provide information on whether wastes have shifted from one method of disposal to another. Some State uses of Hazardous Waste Report data include support of planning, fee assessment, compliance monitoring, and enforcement.

Legal Authority for the Information Collection

RCRA Sections 3002 and 3004 authorize the Hazardous Waste Report. Both sections require EPA to establish and promulgate standards regarding record keeping and reporting for Subtitle C hazardous wastes. Section 3002 applies to hazardous waste generators and Section 3004 applies to hazardous waste treatment, storage, and disposal facilities. The pertinent text of RCRA Sections 3002 and 3004 is summarized in Table 1.

Table 1
Summary of RCRA Sections 3002 and 3004
Authorizing the Hazardous Waste Report

Section 3002(a)(6) requires submission of reports to EPA or the States at least every two years on the:

- Quantities and nature of hazardous wastes that have been generated during the year;
- Disposition of these hazardous wastes; and
- Changes in volume and toxicity of waste achieved during the year in comparison with previous years.

Section 3004(a) requires EPA to issue regulations establishing performance standards applicable to owners and operators of facilities for the treatment, storage, or disposal of hazardous waste that include:

- Maintaining records of all hazardous wastes treated, stored or disposed of and the manner in which such wastes were treated, stored, or disposed of.

2(b) Use and Users of the Data

Implementation of the RCRA program requires the collection of information on the characteristics of the regulated community generally (e.g., number of generators and TSDFs), as well as the specific characteristics of individual sites (e.g., waste handling activities undertaken). This information is used for waste activity monitoring, compliance monitoring, technical assistance, program planning, waste minimization, and other program activities taken by EPA and the States. The information is also used by public interest groups (Right-to-Know Network) and industry.

In addition to the above-mentioned uses, the Hazardous Waste Report also provides valuable information to States for tracking intra- and interstate shipments of waste. Many States do not collect or track manifests, which provide some information on off-site shipments of hazardous waste; therefore, the Hazardous Waste Report serves as the only source of this information.

EPA has made significant modifications to the Hazardous Waste Report for the 2001 collection based on a lengthy study of the information needs of EPA and State hazardous waste programs. These modifications are described fully in the June 21, 2000 background document, *2001 Hazardous Waste Report (Biennial Report), Part A Permit Application, and Notification of Regulated Waste Activity Information Collection Request*. They include:

- Clarifying the types of hazardous wastes to be reported;
- Streamlining the Hazardous Waste Report's source, origin, form, and system type codes;
- Removing point of measurement, Standard Industrial Classification (SIC) code, and off-site availability data elements from the Hazardous Waste Report; and
- Replacing the Identification and Certification (IC) Form with a new form: the Site Identification Form.

These modifications to the 2001 Hazardous Waste Report are described further in the following paragraphs.

Clarifying the Types of Hazardous Wastes to be Reported. The Biennial Reporting instructions have been changed to clarify that generators should report only the hazardous wastes which count toward the determination of their generator status (except as otherwise required by the State agency). This includes wastes that are generated, accumulated and subsequently managed on site, or shipped off site. TSDFs should report hazardous waste received from off site, the management of the hazardous waste while on site, and any shipments of hazardous waste off site.

Streamlining the Hazardous Waste Report's Source, Origin, Form, and System Type Codes. The source codes in the 1999 Hazardous Waste Report have been consolidated, regrouped, and merged with the origin codes to provide a simpler coding structure. EPA believes that this approach will provide more meaningful and consistent responses, reduce at least some of the reporting burden, and support the high-level information categorization needs of the RCRA program. This new coding scheme reduces the number of choices from 60 to 30 and the groups from seven to six. We believe that this approach will result in increase data accuracy and quality through reduced variation in response.

In addition, the form codes have been revised and streamlined. The new coding scheme reduces the number of form codes from 89 to 47 with seven high-level groups. This improvement will result in increased data accuracy and quality through reduced variation in response with a minor decrease in burden for both handlers and program implementers.

Finally, EPA has replaced system type codes with management method codes. The management method coding scheme eliminates overlap with form codes. This coding structure is based in part on analysis of the frequency and perceived accuracy with which different system type codes were reported in the 1995 Biennial Reporting System (BRS) data. The impact of the land disposal restriction (LDR) treatment codes was also considered in establishing this list. This new coding scheme reduces the detailed list from 65 entries to 28 and the high-level groups from 14 to four. We believe this approach will result in increased data accuracy and quality through reduced variation in response with a minor decrease in burden for both handlers and program implementers.

Removing Point of Measurement, Standard Industrial Classification (SIC) Code, and Off-Site Availability Data Elements from the Hazardous Waste Report. The “point of measurement” data element on the 1999 Waste Generation and Management Form (Form GM) consists of four codes showing whether the waste being reported was mixed with other wastes prior to being measured. EPA determined that there is no significant need for this information. Additionally, because the point of measurement is confusing to respondents, the data are often of questionable quality. Thus, the point of measurement was eliminated from Form GM.

In addition, we removed the SIC code from Form GM, since we added the North American Industrial Classification System (NAICS) codes (the replacement for the SIC codes) to the Site Identification Form. Completion of the NAICS codes on the Site Identification Form is mandatory.

The off-site availability code showed whether an off-site facility is a commercially-available TSDF, or if it is only permitted to accept wastes from firms owned by the same company. EPA did not find any need for this information. Thus, the off-site availability code was eliminated from Form GM.

[Note: The Hazardous Waste Report asks whether the waste being reported is a RCRA radioactive mixed waste. EPA did not find a significant national need for this information. However, we learned that some existing EPA compliance agreements with Federal facilities require this data for compliance monitoring. Thus, we determined that it would be disruptive to drop the requirement since it is being used in these limited areas. Information on RCRA radioactive mixed waste will continue to be collected for the 2001 Biennial Report cycle. At this time, however, we are planning to remove it starting with the 2003 Hazardous Waste Report, as long as the compliance agreement information needs are able to be satisfied by another source of information.]

Replacing the Identification and Certification (IC) Form with the Site Identification Form. For the 2001 Hazardous Waste Report, EPA has replaced the 1999 IC Form with the Site Identification Form. Currently, basic site information (e.g., information on hazardous waste handling activities taking place at RCRA-regulated sites) is being collected on three different forms, each with its own instructions and definitions. This sometimes gives regulators conflicting information about the same site and is burdensome for respondents. Specifically, large quantity generators and TSDFs report site information on the Hazardous Waste Report IC Form. Basic site information is also collected from all RCRA-regulated facilities on the Notification Form. Finally, TSDFs seeking a permit or permit renewal submit site information on the Part A Application Form. In regard to the 2001 Hazardous Waste Report, EPA believes that replacing the IC Form with the Site Identification Form will result in increased data accuracy and quality through reduced variation in response.

In summary, the 2001 Hazardous Waste Report will request the following basic information for each waste reported:

- Narrative waste description;
- Hazardous waste codes;
- Physical/chemical form of the waste;
- Source of the waste;
- Quantity generated in reporting year;
- For waste treated on site, what treatment it received; and
- For waste shipped off site for treatment, the kind of treatment it received, and how much was managed.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

EPA has determined that no other Federal agency collection satisfies the statutory requirements of Sections 3002 and 3004 of RCRA, as amended. Except for the site identification information that will be collected on one form (combining the Biennial Report, Notification, and Part A Permit application site identification information), none of this information is duplicative of other information collected by other EPA offices or other federal agencies.

3(b) Public Notice

EPA solicited public comments on this ICR through an announcement in the *Federal Register* on June 23, 2000 (65 FR 39142). The public comment period ended August 22, 2000. EPA received nine comments. Commenters supported implementation of the proposed changes to the 2001 Hazardous Waste Report. Commenters: supported the merging of common elements of site identification information (from the Biennial Report IC form, the Notification of Hazardous Waste Activity form, and the Part A Permit Application form); collecting waste codes on the notification form; not reporting hazardous waste exports in the Biennial Report; to report hazardous waste imports in the Biennial Report; clarifying the types of hazardous wastes reported in the Biennial Report; to streamline the Biennial Report Source, Origin, Form, and Management codes; removing certain data elements from the Biennial Report. Comments were mixed on: the reporting of universal waste on the new Site Identification form; whether the Source of waste should be a mandatory data element; and whether the Biennial Report is a useful tool for information gathering and dissemination.

3(c) Consultations

EPA consulted with one TSDF and several States to obtain input on the assumptions used in this ICR. The states were suggested by the Association of State and Territorial Solid Waste Management Officials, the state organization who partnered this effort with EPA. The consultations were conducted with:

Name of Company or State	Contact	Telephone No.
Safety Kleen	Scott Webber	803-933-4200
State of Indiana	Jenny Dooley	371-232-8925
State of Louisiana	James Miller and Joyce Metoyer	225-765-0219 and 225-765-0168
State of Missouri	Bob Krager	573-751-3176

We also sent out the recommended changes to the Biennial Report to all fifty states for their review. We received comments from thirty states.

3(d) Effects of Less Frequent Collection

The two-year cycle is statutorily required. Though some States collect the information contained in the Hazardous Waste Report on an annual or quarterly basis, EPA does not require more frequent data collection.

3(e) General Guidelines

This ICR adheres to the guidelines stated in the Paperwork Reduction Act of 1995, OMB's implementing regulations, and OMB's Information Collection Review Handbook.

3(f) Confidentiality

The 2001 Hazardous Waste Report requires businesses to provide information on various aspects of hazardous waste generation and management. Some businesses consider some of their hazardous waste information to be Confidential Business Information (CBI). A business may, if it desires, protect its Hazardous Waste Report information from public disclosure by asserting a claim of confidentiality covering all or part of the information in the Hazardous Waste Report it furnishes to EPA. When such a claim is asserted, EPA must and will treat the information in accordance with the confidentiality regulations set forth in 40 CFR Part 2, Subpart B. EPA also ensures that the information collection procedures comply with the Privacy Act of 1974 and the OMB Circular 108.

3(g) Sensitive Questions

There are no sensitive questions asked in the 2001 Hazardous Waste Report.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents and SIC Codes

Based on 1997 BRS data, the SIC codes that represent the respondents are as follows (also shown are the new North American Industrial Classification System (NAICS) codes that correspond to the SIC codes listed):¹

¹ Literally hundreds of SIC codes were reported to the 1997 Hazardous Waste Report at the 4-digit level. EPA has abbreviated the list, as shown in this ICR, by identifying these SIC codes at the 2-digit level (i.e., 28 instead of 2823). This does not mean, however, that *all* 4-digit SIC codes beginning with the 2-digit codes shown in the list were reported to the Hazardous Waste Report.

SIC Code Description	SIC Code	NAICS
Agriculture, Forestry, and Fisheries	01- 09	111-115
Mineral Industries	10-14	211-213
Construction Industries	15-17	233-235
Manufacturing	20-39	311-339
Transportation, Communication, and Utilities	41-49	481-493; 513
Wholesale Trade	50-51	421-422
Retail Trade	52-59	441-454

SIC Code Description	SIC Code	NAICS
Finance, Insurance, and Real Estate	60-67	521-525; 531-533
Service Industries	70-89	541 - 814
Public Administration	91-97	921-928
Nonclassifiable Establishments	99	Not Available

4(b) Information Requested

The Hazardous Waste Report consists of four forms: Site Identification Form, Waste Generation and Management (Form GM), Waste Received From Off-Site (Form WR), and Off-Site Identification (Form OI). Only Large Quantity Generators and Treatment, Storage, and Disposal Facilities complete the Hazardous Waste Report.

(i) Data Items:

- *Site Identification Form.* The Site Identification Form must be submitted by all sites required to file the 2001 Hazardous Waste Report. This form collects information such as site name, EPA ID number, address, and type of hazardous waste handling activities taking place at the site.
- *Form GM - Waste Generation and Management.* Form GM must be submitted by all respondents that generated or shipped large quantity generator amounts of RCRA hazardous waste during 2001. This form collects information on each generated or shipped waste, including a narrative waste description, a waste characterization (e.g., waste codes, source codes), quantity generated, and what was done with it.
- *Form WR - Waste Received From Off-Site.* Form WR must be submitted by all sites that received RCRA hazardous waste from off site during 2001. This form collects information on each waste received from off site, including a narrative description of the waste, a brief waste characterization (e.g., waste codes), the EPA ID number of the generator, the quantity of waste received, and the method of waste management.
- *Form OI - Off-Site Identification.* Form OI is not required; rather, it is provided as an option for States to collect the names and addresses of those handlers that transport waste from, ship waste to, or receive waste from their respondents.

Whether a code should be mandatory or voluntary was extensively discussed by the Waste Information Needs Initiative team. Decisions on this issue represent a consensus opinion of EPA and state staff experts and management.

EPA's state partners in the Waste Information Needs requested that we include some of the optional elements in the 2001 Biennial Report. The Form code will help both the states and EPA better understand the nature of the hazardous waste being reported.

The State Hazardous Waste Codes were requested by states who have their own state codes and would like to track what happens to this waste. If this code did not appear on the Biennial Report, they may not be authorized by their state statutes to collect this information. However, since not all states collect state hazardous waste data, the WIN team decided that the code would not be mandatory.

Finally, the RCRA Radioactive Mixed Waste code provides EPA with information needed to monitor compliance agreements with facilities under consent decrees. The WIN team did not believe that this code needed to be mandatory.

Review of response rates in 1995 and 1997 for these three optional data elements showed that the response rate was high - 94% response rate for the Form code. Since there is a high response rate, and the data we receive is of good quality, the WIN team believes it is appropriate to keep collecting these optional data elements.

(ii) Respondent Activities:

Respondents must perform the following activities:

- Read the 2001 Hazardous Waste Report instructions;
- Gather information and prepare Site Identification Form;
- Gather information and prepare Form GM;
- Gather information and prepare Form WR;
- Gather information and prepare Form OI (State-optional form, not a Federal form);
- Submit the report to the State or Regional EPA Office; and
- Maintain a copy of each form for three years.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

As with most of the RCRA program, the Hazardous Waste Report data collection process is delegated to the States through the EPA Regions. Briefly, the process is as follows.

States (or EPA Regions where the Region implements the RCRA hazardous waste program for a given State) provide potential respondents with either the Federal form or a State equivalent, collect the responses, endeavor to contact non-respondents, enter the data (or load files if the State employs electronic methods for preparation and submittal of reports by regulated entities) into a database using off-the-shelf software packages which have been developed to support the collection of Biennial Report data, assure data quality, and forward the data to EPA.

The methods used by States to identify those entities to whom they distribute forms and the methods for subsequent tracking of reports received are at the discretion of States. Most States generate initial mailing lists based on previous report submittals augmented by recent notifications of regulated activity. Many States levy fees based on the nature and extent of regulated activity identified in the report. Therefore they typically devote considerable care to validating that all those who are required to submit reports do so. EPA does not require States to provide statistics on response rates so exact information is not available. However, the response rates are generally considered to be very high. In addition, EPA makes all report data (except for that claimed as CBI) publicly available over the Internet. This provides further incentive for sites (and also for States and EPA) to ensure the information is complete and accurate because the public does regularly access this information

The Regions work with and support States in data gathering and data quality assessment. Regions may also provide technical support to States for the transfer of their files to EPA for incorporation into the national database.

EPA Headquarters produces and distributes the Federal forms and related guidance, defines the data and file format for nationally required data, establishes the schedule for submitting data, manages the incorporation of State data into the national database, coordinates national data quality review, maintains the national database, and prepares a national report listing major facts about the national picture of hazardous waste generation and management for the reporting cycle.

In practice, this distribution of activities does not always follow this path. In some cases, the Region performs all of the State roles. In others, the Region provides direct processing support for some, but not all, of the collection activities. In still other cases, the Regions provide additional resources to the States.

EPA activities for the 2001 Hazardous Waste Report include the following:

- Develop 2001 Hazardous Waste Report forms and instructions.
- Distribute Hazardous Waste Report forms and instructions. EPA Headquarters distributes the form and instruction booklets to the States and Regions. States (or Regions) prepare mailing lists, mail forms and instructions, record receipt of completed forms, and contact sites that fail to respond within the specified time period. Some States may pre-populate Site Identification Forms prior to distribution.
- Develop computer capabilities required to compile national data. EPA Headquarters develops the computer capabilities required to load data into the national database, the reports which support data quality assessment and other programmatic use of the data, and preparation of the national report.
- Assist respondents. States, Regions, and Headquarters provide assistance to respondents. EPA operates a national toll-free telephone help line to answer respondent questions.
- Enter report submissions. States or Regions, and the regulated entities, key enter or electronically load the data into a database. The data entry function is being privatized for the 2001 Hazardous Waste Report cycle. States, Regions, and the regulated community will use one of the private vendor's software packages for data entry.
- Perform quality assurance. States, Regions, and Headquarters all perform data quality assurance. This includes follow-up to non-respondents, the detection and correction of unacceptable responses (e.g., in cases where the respondent misunderstood the instructions), and the verification of exceptional responses (e.g., data reported by a respondent that differ significantly from data reported by the rest of the respondent universe) and significant response changes between

report years. The national software will support these activities with a variety of functions.

Once reports are received, the QA/QC procedures include a hierarchy of assessments. First, system procedures ensure the data has fundamental internal consistency (required elements are populated; elements are of the correct data type; values are within allowed ranges).

Second, the information content of the data for individual sites is evaluated to identify any potential over or under reporting (exception reports support identification of extremes, and significant variance from one cycle to another).

Third, assessment reports support evaluation of intra-State and inter-State shipments of wastes to identify potential discrepancies between reports submitted by generators and the TSDF's who were identified by the generator as having received the waste.

Based on the results of the assessments noted above, States identify any cases where accuracy may be questionable. For those cases they generally contact the site to review the information received, and obtain confirmation that it is correct or that the site intends to submit an amended report to correct discrepancies. If they feel it is warranted, they may choose to perform an inspection at the site to validate the information. However, that would be an exceptional case.

- Prepare the national report. EPA will prepare *The National Biennial RCRA Hazardous Waste Report (Based on 2001 Data)* that will be made available to the Congress and the public.
- Store the data. The 2001 Hazardous Waste Reports (paper copies) will be stored by the States or Regions for three years, and an electronic database may be maintained by each State or Region. The national database will be maintained by EPA Headquarters.

5(b) Collection Methodology and Management

To ensure that the Hazardous Waste Report data collected are accurate, complete, and retrievable, EPA has employed a variety of user support, automatic data processing, and process management techniques.

User Support. To ensure that respondents can accurately complete the forms, EPA has provided a toll-free telephone help line. The help line will refer respondents to the appropriate State or Regional contact for assistance if they wish to file their 2001 Hazardous Waste Report on magnetic media.

Automatic Data Processing. The Hazardous Waste Report data collection effort is delegated to the States and is therefore decentralized. Central to this process is the national Biennial Reporting System software and related procedures developed by EPA to support:

- Acceptance of the data into a standard electronic format;
- Quality assurance of the data;
- Storage of national data; and
- Use of the data.

To support the submission of data by the States and Regions, EPA developed electronic reporting standards, the documentation necessary to produce submissions to those electronic reporting standards, and the software necessary to load electronic submissions. The standards are simple ASCII files. The standards used for sites to submit electronically will depend on which software package the State or Region is using.

EPA provides a range of reports to support the national data quality assessment process. The reports highlight outlying data values (e.g., data reported by one or more respondents that differ significantly from data reported by the rest of the respondent universe), significant changes from one report cycle to another for a given entity who has previously reported, and significant differences between waste reported as shipped by one entity and the corresponding waste reported as received by the receiving entity.

EPA also provides technical reports to support the loading of files into the national database. These reports facilitate the identification and resolution of incorrect or incomplete data or file formats.

To protect the data from unauthorized alteration, EPA implements security controls on the national database which limit file loading and update privileges to authorized database administrators, and prevents anything other than read access on the part of State and EPA users. No direct public access to the national RCRAInfo database is allowed. On-line public access is supported by an extract of the data which is then made available through EPA's Internet-accessible Envirofacts database.

Any information claimed as CBI is kept completely separate from all other report data. For compilation of the national report, data is submitted to the OSW CBI office where it is logged

per the same process used for other CBI documents. The information on quantities of waste claimed as CBI are tabulated to include in the quantity data for the national report but absent any references that would allow derivation of the specific components of an original report or who sent it.

Process Management. To ensure that the necessary implementation activities occur, EPA has established a data collection process, assigned responsibilities in the process, and established a schedule for the implementation of the process. Senior level EPA managers in the Regions and Headquarters are attentive to implementation progress.

States (and EPA where EPA implements the program for a given State) track and monitor initial responses from the regulated community and provide periodic status reports on progress to EPA Headquarters coordinators. As implementation proceeds, headquarters staff coordinate conference calls with Regions and their States to confirm progress and identify any emerging problem areas (e.g. significant delays on the part of a given State). Mid and senior level national managers are regularly updated on the status of progress (bi-weekly).

In addition to routine updating for management, Headquarters staff use the information obtained from their regular discussions with States and Regions to identify for senior management any specific cases which may require senior management action. Where necessary, senior Headquarters managers will consult with their counterparts in the Regions to review potential problem areas and determine approaches to overcoming them (e.g. shifting of resources/priorities).

Generally, management level discussions of progress with Regions occur as part of regularly scheduled monthly conference calls with senior RCRA personnel. Separate discussions with a specific Regional senior managers will occur if there is a unique problem case. Regional managers typically coordinate discussions with State managers where necessary. In addition, senior State and Regional managers receive copies of the national report and they know the information which appears in the final report will receive highly visible notice across States and Regions as well as from the public.

Also, EPA provides training and documentation for State and Regional personnel on the overall process and on the use of RCRAInfo.

Finally, EPA holds regular conference calls to discuss progress and difficulties. Periodic status reports are sent to EPA and State management on progress towards meeting milestones.

5(c) Small Entity Flexibility

In implementing RCRA Subtitle C, EPA uses the quantity of waste generated per month to determine the extent to which a firm should be regulated. EPA categorizes generators of less

than 1,000 kilograms of non-acute hazardous waste per month as small quantity generators (SQGs) and relieves them of specified requirements.

In particular, these SQGs are not required to file the 2001 Hazardous Waste Report. A SQG who is sent the 2001 Hazardous Waste Report due to a recent change in status or error need not respond. EPA has also included a return postcard in the 2001 Hazardous Waste Report package to be used to ensure they are not the subject of follow-up contacts for biennial reporting.

5(d) Collection Schedule

EPA's 2001 Hazardous Waste Report implementation schedule is outlined below.

Reporting and Implementation Schedule

Activity	Lead (HQ, Region, or State)	Start Date	End Date
Print 2001 Forms	HQ	January 2001	January 2001
Distribute 2001 Forms to States	HQ	Not Applicable	January 2001
Distribute 2001 Forms to Handlers	States	Not Applicable	January 2001
BRS Help Line	HQ	January 2001	June 2002
Handler 2001 Forms Due	States	Not Applicable	March 1, 2002
Final State/Regional Data due to HQ	Region	Not Applicable	November 1, 2002
Develop Draft 2001 National Biennial RCRA Hazardous Waste Report	HQ	November 2002	December 31, 2002

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) Estimating Respondent Burden

EPA presents estimates for the respondent burden hours associated with all of the information collection requirements covered in this ICR in Exhibit 1. The exhibit lists all of the respondent activities associated with the 2001 Hazardous Waste Report and presents burden and cost estimates for each. The burden estimates are broken down by labor category (legal, managerial, technical, and clerical) and totaled on a per activity basis. These burden estimates are then multiplied by the estimated number of respondents and the estimated number of

activities per respondent to obtain an estimate of the overall burden to the regulated universe for each activity.

Source of Burden Estimates

The burden estimates for each activity are based on the estimates contained in the previous version of this ICR and have been validated through informal consultations held with States and members of the regulated community (see Section 3(c)).

Methodology for Accounting for Site Identification Forms Pre-Populated by States

In estimating the hourly burden for preparing the Site Identification Form, EPA assumed that 50 percent of all the Site Identification Forms would be pre-populated by States prior to distribution to respondents. This is based on information received from our state partners in the Waste Information Needs Initiative. Respondents receiving these pre-populated forms need only review and update the data.

Respondents receiving blank forms would have to complete the entire Site Identification Form. EPA estimates the average hourly burden for updating the pre-populated Site Identification Form to be 0.17 hours per respondent, and for completing the Site Identification Form in its entirety, 0.34 hours per respondent.

To estimate the average burden per respondent in preparing a Site Identification Form, EPA used the weighted-average calculation shown in Table 2. EPA multiplied the percentage of (i) pre-populated Site Identification Forms by the average burden for updating the information contained in the form and (ii) blank forms by the average burden for completing the blank form. Then, EPA added up these two products to derive an overall weighted-average burden. This weighted-average burden is used to calculate the burden to all respondents in completing the Site Identification Form, as shown in Exhibit 1.

Table 2
Assumptions and Weighted-Average Equation
Used in Estimating Burden to Prepare the Site Identification Form

Assumptions	Weighted-Average Equation
0.17 hours to complete pre-populated form; 50 percent of the forms are pre-populated	$(0.17 \text{ hours} \times 0.50) + (0.34 \text{ hours} \times 0.50)$ $= 0.26 \text{ hours}$
0.34 hours to complete blank form; 50 percent of the forms are blank	

Methodology for Accounting for Electronic Reporting

For the 2001 Hazardous Waste Report, EPA held consultations with a few State and facility representatives to get feedback on the ICR's data and assumptions. In these conversations, the representatives indicated that GM and WR Forms often can be prepared from databases that track manifests or other information for billing purposes. Based on these and previous years' consultations, EPA estimated the hourly burden for the GM and WR Forms submitted electronically to be significantly less than for forms submitted on paper.

To estimate the percentage of facilities that submit GM and WR Forms electronically, EPA used information gained from the consultations and 1997 BRS data. For GM submissions, EPA estimated that, based on consultations and best professional judgment, facilities submitting 15 or more GM Forms for the Hazardous Waste Report are likely to do so electronically. Using 1997 BRS data, EPA identified sites submitting 15 or more GM Forms, counted their GM Forms submitted, and calculated the percentage that their GM Forms represented of the total number of GM Forms. Based on this methodology, EPA estimates that 70 percent of GM Forms are submitted electronically, while the remaining 30 percent are sent manually.

For WR Forms, EPA believes that TSDFs receiving large numbers of off-site shipments are more likely to have systems in place to track waste stream data, and as a consequence, to report Hazardous Waste Report data electronically. Using the 1997 BRS data, EPA reviewed the list of WR Forms reported to the Hazardous Waste Report by facility and, based on its own professional judgment and consultations, estimates that 90 percent of WR Forms are submitted electronically, while the remaining 10 percent are sent manually.

To estimate the average burden per respondent in preparing a Form GM or WR, EPA used the weighted-average calculations shown in Table 3. EPA multiplied (i) the percentage of both forms submitted electronically by their respective burden for electronic reporting and (ii) the percentage of both forms submitted manually by their respective burden for manual reporting. Then, EPA added the two products for each form respectively to calculate an overall weighted-average burden for both forms. These weighted-average burden estimates are used to calculate the burden to all respondents in preparing these forms, as shown in Exhibit 1.

Table 3
Assumptions and Weighted-Average Equations
Used in Estimating Burden to Prepare the GM and WR Forms

Activity	Assumptions	Weighted-Average Equation
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Prepare GM Form	<p>1.26 hours to complete manually; 30 percent of the forms are completed manually</p> <p>0.08 hours to complete electronically; 70 percent of the forms are completed electronically</p>	$(1.26 \text{ hours} \times 0.30) + (0.08 \text{ hours} \times 0.70)$ $= 0.43 \text{ hours}$
Prepare WR Form	<p>1.31 hours to complete manually; 10 percent of the forms are completed manually</p> <p>0.13 hours to complete electronically; 90 percent of the forms are completed electronically</p>	$(1.31 \text{ hours} \times 0.10) + (0.13 \text{ hours} \times 0.90)$ $= 0.25 \text{ hours}$

6(b) Estimating Respondent Costs

Estimating Labor Costs

EPA estimates an average hourly respondent labor cost (including overhead) of \$108.00 for legal staff, \$77.00 for managerial staff, \$57.00 for technical staff, and \$29.00 for clerical staff. To arrive at these estimates, EPA consulted the *Handbook of U.S. Labor Statistics, Second Edition*², which summarizes the unloaded (base) hourly rate for various labor categories in U.S. firms. EPA then applied an overhead factor of 2.3 for non-legal staff and 3.0 for legal staff to derive their loaded hourly rates.³ Using the total burden hours discussed in Section 6(a) and the wage rates outlined in this section, Exhibit 1 illustrates the labor costs associated with all of the information collection requirements covered in this ICR.

Estimating Capital and O&M Costs

To submit the Hazardous Waste Report, EPA estimates that facilities will incur a one-time postage cost of \$1.50 each year for the two-year period of the ICR. This estimate is based on the mailing cost of \$3.00 for a certified mail package.

EPA estimates that facilities will incur annual operation and maintenance (O&M) costs associated with maintaining a copy of each form for three years. For respondents that submit paper versions of the forms, EPA estimates that to maintain files, facilities will purchase file cabinets and make photocopies. For respondents that submit the information electronically, EPA estimates that to maintain files, facilities will purchase disk storage space (e.g., floppy disks). EPA estimates that file storage, whether paper or electronic, will cost \$0.01 per form and that photocopying charges will cost \$0.10 per form submitted for the two-year period of the ICR. As with burden hours, the costs for electronic reporting are incorporated into the cost estimates for the GM and WR Forms by multiplying the proportion electronically reporting by the O&M cost for electronic reporting (\$0.01) plus the proportion using manual reporting multiplied by the O&M costs for respondents that submit the paper forms (\$0.01+\$0.10).

² The book was edited by Eva Jacobs, and was published in 1998 by Bernan Press. EPA used the labor rates in the 1998 publication and then updated them to year 2000 levels using an annual employment cost index of 3.0.

³ Based on the report *Estimating Costs for the Economic Benefits of RCRA Noncompliance*. The report was authored by U.S. EPA, RCRA Enforcement Division, Office of Regulatory Enforcement, and was published in February 1997.

EXHIBIT 1
THE 2001 HAZARDOUS WASTE REPORT^a
ESTIMATED ANNUAL RESPONDENT BURDEN AND COST

INFORMATION COLLECTION ACTIVITY	Hours and Costs Per Respondent								Total Hours and Costs		
	Leg. \$108.00/ Hour	Mgr. \$77.00/ Hour	Tech. \$57.00/ Hour	Cler. \$29.00/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
Read the 2001 Hazardous Waste Report instructions	0.00	1.00	1.00	0.00	2.00	\$134.00	\$0.00	\$0.00	10,157	20,314	\$1,361,038
Gather information and prepare Site Identification Form	0.00	0.05	0.16	0.05	0.26	\$14.14	\$0.00	\$0.00	10,157	2,590	\$143,620
Gather information and prepare Form GM	0.00	0.08	0.32	0.04	0.43	\$25.06	\$0.00	\$0.00	125,327	54,267	\$3,140,695
Gather information and prepare Form WR	0.00	0.00	0.19	0.06	0.25	\$12.68	\$0.00	\$0.00	369,563	91,775	\$4,686,059
Gather information and prepare Form OI	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0	0	\$0
Submit report to the State or Regional EPA Office	0.00	0.00	0.00	0.10	0.10	\$2.90	\$0.00	\$1.50	10,157	1,016	\$44,691
Maintain a copy of each form for three years	0.00	0.00	0.01	0.04	0.05	\$1.73	\$0.00	\$0.02	505,047	25,252	\$883,832
TOTAL	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	195,214	\$10,259,935

^a The exhibit contains rounding.

EXHIBIT 2
THE 2001 HAZARDOUS WASTE REPORT
ESTIMATED ANNUAL AGENCY/STATE BURDEN AND COST

INFORMATION COLLECTION ACTIVITY	Hours and Costs Per Respondent								Total Hours and Costs		
	Leg. \$67.44/ Hour	Mgr. \$59.50/ Hour	Tech. \$42.80/ Hour	Cler. \$18.26/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
Develop 2001 Report forms and instructions	0.00	4.00	16.00	0.00	20.00	\$922.80	\$0.00	\$20,000.00	1	20	\$20,923
Distribute and collect Report forms and instructions	0.00	0.05	0.39	0.43	0.87	\$27.52	\$0.00	\$1.50	10,157	8,837	\$294,756
Develop computer capabilities required to compile national data	0.00	12.00	32.00	0.00	44.00	\$2,083.60	\$0.00	\$250,000.00	1	44	\$252,084
Assist respondents	0.00	0.08	0.39	0.63	1.10	\$32.96	\$0.00	\$0.00	10,157	11,173	\$334,775
Key entry of report submissions	0.00	0.01	0.04	0.22	0.27	\$6.44	\$0.00	\$0.00	79,633	21,501	\$512,837
Perform quality assurance	0.00	0.03	0.18	0.17	0.38	\$12.41	\$0.00	\$0.00	505,047	191,918	\$6,267,633
Prepare the National Report and other Analyses	0.00	12.00	40.00	8.00	60.00	\$2,572.08	\$0.00	\$50,000.00	1	60	\$52,572
Store the data	0.00	0.00	2.00	1.00	3.00	\$103.86	\$0.00	\$35,000.00	1	3	\$35,104
TOTAL	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	233,556	\$7,770,683

6(c) Estimating Agency and State Burden and Cost

EPA estimates annual Agency burden hours and costs associated with all of the requirements covered in this ICR in Exhibit 2. EPA believes that the Headquarters, Regional, and State offices will be involved in these activities. These burdens assume that all States use the Federal 2001 Hazardous Waste Report forms and BRS software. Based on the 2000 GS Pay Schedule, EPA estimates an average hourly labor cost of \$67.44 for legal staff (GS-15, Step 5), \$59.50 for managerial staff (GS-15, Step 1), \$42.80 for technical staff (GS-13, Step 1), and \$18.26 for clerical staff (GS-6, Step 1). To derive these hourly estimates, EPA divided the annual compensation estimates by 2,080, which is the number of hours in the Federal work-year, and then multiplied the hourly rates by the standard government overhead factor of 1.6.

As shown in Exhibit 2, depending on the type of Agency and State activity, some of the total burden per Agency activity is based on the number of respondents or the number of forms. Burden hours for entering report submissions for each labor category account for electronic reporting; burden for key entry is multiplied by the proportion of total forms submitted on paper and added to the burden for electronically loading the data (estimated to be one-tenth the burden for key entry) multiplied by the proportion of forms expected to be submitted electronically (see Section 6(a)).

6(d) Estimating the Respondent Universe and Total Burden and Cost

EPA estimates that the total number of respondents to the 2001 Hazardous Waste Report will be approximately 20,314, which annualized over the two-year report cycle equals 10,157 per year.⁴ We considered other methods of estimating the number of responses (such as looking at the number of respondents in past Biennial Reports, but the numbers fluctuated, and we could not develop projections).

The number of respondents and forms for each respondent activity is presented below. These estimates assume that all questions and forms are submitted in accordance with the Biennial Report instructions. Exhibit 1 calculates the annual respondent burden and cost for the activities examined.

Read the Instructions

EPA estimates that all 20,314 respondents will read the instructions to the 2001 Hazardous Waste Report. Annualized over the two-year report cycle, this results in 10,157 facilities reading the instructions each year.

⁴ The annual number of respondents for the 2001 Hazardous Waste Report (10,157) is based on the total number of large quantity generators responding to the 1997 Hazardous Waste Report (i.e., 20,314/2).

Gather Information and Prepare Site Identification Form

EPA estimates that all 20,314 respondents will prepare and submit a Site Identification Form with the 2001 Hazardous Waste Report. Annualized over the two-year report cycle, this results in 10,157 respondents preparing and submitting a Site Identification Form each year. EPA further assumes that 50 percent of forms will be pre-populated by States, in which case respondents need only review and update the data. Respondents receiving blank forms will need to complete the form. EPA estimates that, on average, a pre-populated Site Identification Form will take about 0.17 hours to update and a blank Site Identification Form will take about 0.34 hours to prepare. Thus, on average, EPA assumes each respondent will take about 0.26 hours (weighted-average) to update/prepare a Site Identification Form.

Gather Information and Prepare Form GM

EPA anticipates that each year 10,157 respondents will submit 125,327 GM Forms to EPA.⁵ EPA estimates that, on average, a Form GM will take about 1.26 hours to prepare manually and 0.08 hours to prepare electronically. EPA further assumes that 30 percent of forms will be prepared manually and 70 percent will be prepared electronically. Thus, on average, EPA assumes each respondent will take about 0.43 hours (weighted-average) to prepare each Form GM.

Gather Information and Prepare Form WR

EPA expects that each year 272 (543/2) respondents will each submit a total of 369,563 Forms WR to EPA.⁶ Note that the number of WR Forms represents the number of blocks on Form WR that have been completed; the paper form actually contains three blocks of the same WR information (i.e., the same questions, repeated three times on the same page). EPA estimates that a Form WR will take, on average, about 1.31 hours to prepare manually and 0.13 hours to prepare electronically. EPA further assumes that 10 percent of forms will be prepared manually and 90 percent will be prepared electronically. Thus, on average, EPA assumes each respondent will take about 0.25 hours (weighted-average) to prepare each Form WR.

Gather Information and Prepare Form OI

⁵ The number of 2001 Forms GM submitted per year (125,327) is based on the total number of Forms GM submitted to the 1997 Hazardous Waste Report, less exports (i.e., 250,653/2).

⁶ The annual number of respondents submitting 2001 Forms WR (272) is based on the total number of respondents submitting Forms WR for the 1997 Hazardous Waste Report (i.e., 543/2). The number of Forms WR submitted per year (369,563) is based on the total number of Forms WR submitted to the 1997 Hazardous Waste Report (i.e., 739,126/2).

Because this form is a State-optional form, EPA does not expect any facilities to submit Form OI and therefore does not calculate the burden for this form.

Submit the Hazardous Waste Report to State/Region

EPA expects each respondent, 10,157 facilities per year, to submit the report to the appropriate State or Region.

Maintain a Copy of Each Form

EPA expects facilities to retain an estimated 505,047 (10,157 + 125,327 + 369,563) forms each year.

6(e) Bottom Line Burden and Cost Tables

Respondent Tally

Exhibit 3 presents the bottom line respondent burden and costs associated with the 2001 Hazardous Waste Report. EPA estimates that respondents will incur an annual burden of 195,214 hours and a cost of \$10,259,935. Exhibit 3 also presents cost estimates by type (labor, capital/startup, or O&M) as well as two-year totals for burden and costs (to reflect the overall burden and costs incurred by respondents over the two-year period covered by this ICR).

EXHIBIT 3

THE 2001 HAZARDOUS WASTE REPORT

TOTAL ESTIMATED RESPONDENT BURDEN AND COST SUMMARY (FROM EXHIBIT 1)

	Annual Burden	Annual Labor Cost	Annual Capital/Startup Cost	Annual O&M Cost	Total Annual Cost
Total	195,214	\$10,234,598	\$0	\$25,336	\$10,259,935
2-Year Total	390,428	\$20,469,196	\$0	\$50,673	\$20,519,870

Agency Tally

Exhibit 4 presents the bottom line Agency burden and costs associated with the 2001 Hazardous Waste Report. EPA estimates an Agency annual burden of 233,556 hours and a cost of \$7,770,683. Exhibit 4 also presents cost estimates by type (labor, capital/startup, or O&M) as well as two-year totals for burden and costs (to reflect the overall burden and costs incurred by the Agency over the two-year period covered by this ICR).

EXHIBIT 4**THE 2001 HAZARDOUS WASTE REPORT****TOTAL ESTIMATED AGENCY/STATE BURDEN AND COST SUMMARY (FROM EXHIBIT 2)**

	Annual Burden	Annual Labor Cost	Annual Capital/ Startup Cost	Annual O&M Cost	Total Annual Cost
Total	233,556	\$7,400,447	\$0	\$370,236	\$7,770,683
2-Year Total	467,112	\$14,800,895	\$0	\$740,471	\$15,541,366

6(f) Reasons For Change In Burden

As shown in Exhibit 3, the overall (two-year) burden estimate for the 2001 Hazardous Waste Report is 390,428. This represents an increase of 61,822 hours from the estimated burden of the 1999 Hazardous Waste Report (328,606 hours).

This change in burden has occurred for several reasons. EPA has reduced and streamlined the data elements on the 2001 GM and WR Forms. This has resulted in a minor reduction in the time spent by those manually filling out the forms (resulting in an approximately one percent annual burden reduction to the regulated community overall).

However, this reduction in burden was offset because EPA decreased its estimate of the percentage of GM and WR Forms submitted electronically (from 72 to 70 percent for GM Forms and from 97 to 90 percent for WR Forms). Decreasing the percentage of forms submitted electronically increased EPA's estimated weighted-average burden per form, which was used in Exhibit 1 to calculate the burden for the entire respondent universe. (See Table 3 for a description of the weighted-average calculations.) In addition, EPA increased its estimate of the respondent universe from 18,700 respondents in the 1999 ICR to 20,314 in the 2001 ICR. Note that the 1999 ICR used preliminary 1997 BRS data, whereas the 2001 ICR uses finalized 1997 BRS data.

6(g) Burden Statement

Total public burden for this information collection is estimated to average approximately 19.22 hours per respondent annually. The annual reporting burden is estimated to average 16.73 hours per respondent, and includes time for reviewing instructions, gathering data, completing and reviewing the forms, and submitting the report. The annual record keeping requirement is estimated to average 2.49 hours per respondent and includes the time for filing and storing the Hazardous Waste Report submission for three years.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology

and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2137), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.